
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Regent Broadcasting of Evansville/Owensboro, Inc.)	File No. EB-04-CG-383
Licensee of Radio Station WGBF)	
ASR # 1050452)	NOV No. V200432320034
Evansville, Indiana)	
)	

NOTICE OF VIOLATION

Released: July 15, 2004

By the District Director, Chicago Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Regent Broadcasting of Evansville/Owensboro, Inc., licensee of radio station WGBF.

2. On July 2, 2004, an agent of the Commission's Chicago Office received information that the top beacon of radio station WGBF's antenna structure, ASR # 1050452, located at 6020 Wedeking Avenue, Evansville, Indiana was not operating. Although the local airport was notified of the tower light outage, the Aeronautical Flight Service Station ("ASFF") was not. During the investigation of the complaint, it was noted that the Commission had not been notified of the change in ownership. The station was found to be operating in violation of the following FCC Rules Sections:

- a. 47 C.F.R. § 17.48(a): "The owner of any antenna structure which is registered ... Shall report immediately by telephone or telegraph to the nearest Flight Service Station or office of the Federal Aviation Administration any observed or otherwise known extinguishment or improper functioning of any flashing obstruction light ...not corrected within 30 minutes." The tower light was not operational for at least three weeks but the station had not notified the AFSS of the tower light outage.
- b. 47 C.F.R. § 17.57: "The owner of an antenna structure for which an Antenna Structure Registration Number has been obtained must...immediately notify the Commission using FCC Form 854 upon any change...in ownership information." Regent Broadcasting of Evansville/Owensboro, Inc. has not notified the Commission of the change in ownership. Current antenna registration records show Clear Channel Broadcasting, Inc., owns the tower.

¹ 47 C.F.R. § 1.89.

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3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Regent Broadcasting of Evansville/Owensboro, Inc., must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Chicago Office
1550 Northwest Highway, Room 306
Park Ridge, IL 60068

4. This Notice shall be sent to Regent Broadcasting of Evansville/Owensboro, Inc., 100 East Rivercenter Blvd., 9th Floor, Covington, KY 41011.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

G. Michael Moffitt
District Director
Chicago Office

² 47 U.S.C. § 308(b).

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*